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VIA CM/ECF

November 20, 2020

The Hon. Katharine H. Parker
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007

Re: Nichols v. Noom, Case No. 20-cv-3677 (LGS) (KHP): Joint Letter Re: Request for Extension

Dear Judge Parker:

We write on behalf of Defendants Noom, Inc. and Artem Petakov (“Noom”) and Plaintiffs and the proposed class in accordance with your Court Order, ECF No. 94 to request a brief extension of time from November 24, 2020 to December 3, 2020 to file the chart reflecting outstanding disputes regarding Plaintiffs’ Amended Requests for Production (“RFP chart”).

During the deposition of Noom employee John Riccardi on November 18, 2020, Plaintiffs’ counsel identified multiple documents and document categories that Plaintiffs believe may be relevant and sought production of those documents and document categories on the deposition record based on Mr. Riccardi’s testimony. While Noom reserves the right to object to these additional document demands, Plaintiffs are in the process of addressing some of these documents and document categories in the RFP chart that they had previously sent to Noom on November 17, 2020 in accordance with the Court’s instructions. Plaintiffs will be ready to send a revised RFP chart to Noom by November 23, 2020. Noom will then, consistent with the Court’s Order, fill in a chart column clarifying its position and the Parties will be in a position to submit the RFP chart to the Court on December 3, 2020.

Accordingly, the Parties respectfully request that the Court permit them a brief extension until December 3, 2020 to submit the RFP chart.

The Parties thank the Court for its consideration.

Cooley

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Sincerely,

/s/ Aarti Reddy
Aarti Reddy
Counsel for Defendant Noom, Inc. and Artem Petakov

/s/ J. Burkett McInturff
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Counsel for Plaintiffs and the Proposed Class

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